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BY _____
WALTER F. BUGDEN, JR.

May 23, 2007

Honorable James L. Shumate
Fifth Judicial District Court
220 North 200 East
St. George, UT 84770

Re: State v. Warren Jeffs / Case No. 051900310

Dear Judge Shumate:

Upon further reflection, we believe that the Petition for Inquiry Into Defendant's Competency should remain under seal until after the proceedings against Mr. Jeffs have been concluded. See *State v. Bullock*, 743 P.2d 1166 (Utah 1987); *United States v. McVeigh*, 918 F.2d 1452 (W.D. Okla. 1996); *McVeigh II*, 119 F.3d 806 (10th Cir. 1997) (defendant's privacy interest and attorney-client relationship).

However, should the Court decide to unseal the Petition, we respectfully request that the Court redact paragraphs 12-14 which discuss diagnosis and private health information as well as paragraphs 2, 3, 5, 6, 9, 10, and the first sentence of 11, which contain the subjective impressions of defense counsel about the Defendant's mental capacity. Defense counsel's subjective impressions should not be disclosed to the public. These impressions will adversely impact the attorney-client relationship and there is a substantial probability the release of these subjective impressions will impair Mr. Jeffs' fair trial rights.

To that end, we have enclosed a redacted version of the Petition which we believe protects Mr. Jeffs's privacy rights and is best suited to ensure his right to receive a fair trial.

VIA FACSIMILE
& FIRST CLASS MAIL

Scanned 30 Oct 07
Remains sealed
until hearing of
6 Nov 07.

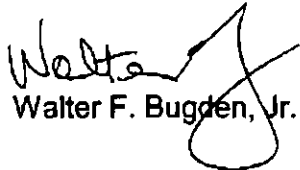
30 Oct 07

File
under seal
23 May 07

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Thank you for your consideration in this matter

Yours very truly,


Walter F. Bugden, Jr.

WFB:jj
Enclosures
cc: Brock Belnap
Richard Wright